

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MUSTAFA ABDULLAH,

Plaintiff,

v.

COUNTY OF SAINT LOUIS, MISSOURI,  
RONALD K. REPLOGLE, in his official  
capacity as Superintendent of the Missouri  
Highway Patrol, and JOHN DOES 1-5, in their  
individual capacities,

Defendants.

CASE NO. 4:14-cv-1436 CDP

**MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Federal Rule of Civil Procedure 65, Plaintiff moves this Court for entry of a preliminary injunction that prohibits Defendants, their officers, employees, or agents, and those acting on their behalf or in concert with them, from enforcing or threatening to enforce any rule, policy, or practice that grants law enforcement officers the authority or discretion to arrest, threaten to arrest, or order to disperse individuals who are violating no statute or regulation and who are peaceably standing, marching, or assembling on public sidewalks in Ferguson, Missouri.

Entry of a preliminary injunction is appropriate in this case because Plaintiff has a fair chance of prevailing, there is ongoing irreparable harm to Plaintiff and other parties not before this Court, the ongoing harm to Plaintiff absent an injunction outweighs any harm an injunction would cause to Defendants, and the issuance of an injunction is in the public interest.

Filed herewith, and incorporated herein by reference, is Plaintiff's Motion for Leave to File Memorandum In Support of Plaintiff's Motion for Preliminary Injunction In Excess of Page Limitation, to which is attached Plaintiff's Memorandum in Support of Plaintiff's Motion for

Preliminary Injunction. The reasons for granting this motion are explained in detail in Plaintiff's Memorandum in Support of Plaintiff's Motion for Preliminary Injunction.

Bond should be waived or set at a nominal amount since there will be no demonstrable harm to Defendants if their likely unconstitutional actions are enjoined.

WHEREFORE, Plaintiff requests this Court:

- A. Enter a preliminary injunction that prohibits Defendants, their officers, employees, or agents, and those acting on their behalf or in concert with them from ordering individuals who are violating no law to refrain from gathering or standing for more than five seconds on public sidewalks, threatening them with arrest for non-compliance, or arresting them;
- B. Waive bond or set bond in a nominal amount; and
- C. Allow to Plaintiff such other and further relief as this Court deems just and equitable.

DATED: August 26, 2014

Respectfully submitted,

/s/ Anthony E. Rothert  
ANTHONY E. ROTHERT, #44827MO  
GRANT R. DOTY, #60788MO  
AMERICAN CIVIL LIBERTIES UNION  
OF MISSOURI FOUNDATION  
454 Whittier Street  
St. Louis, Missouri 63108  
Telephone: (314) 652-3114  
Facsimile: (314) 652-3112  
*trothert@aclu-mo.org*  
*gdoty@aclu-mo.org*

GILLIAN R. WILCOX, #61278MO  
AMERICAN CIVIL LIBERTIES UNION  
OF MISSOURI FOUNDATION  
3601 Main Street  
Kansas City, Missouri 64111  
Telephone: (816) 470-9938

Facsimile: (314) 652-3112

[gwilcox@alcu-mo.org](mailto:gwilcox@alcu-mo.org)

GRANT A. DAVIS-DENNY

THOMAS P. CLANCY

VICTORIA A. DEGTYAREVA

THANE M. REHN

KENNETH M. TRUJILLO-JAMISON

***Motions for Admission to Appear Pro Hac  
Vice Forthcoming***

MUNGER, TOLLES & OLSON LLP

355 South Grand Avenue, Suite 3500

Los Angeles, CA 90071

Telephone: (213) 683-9100

Facsimile: (213) 687-3702

*Grant.Davis-Denny@mto.com*

*Thomas.Clancy@mto.com*

*Victoria.Degtyareva@mto.com*

*Thane.Rehn@mto.com*

*Kenneth.Trujillo-Jamison@mto.com*

**ATTORNEYS FOR PLAINTIFF**

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served upon defendant by placing the same in the First Class mail addressed as set forth below as set forth below on August 27, 2014:

RONALD REPLOGLE  
c/o James Layton  
Solicitor General  
PO Box 899  
Jefferson City, Missouri 65102

County of Saint Louis, Missouri  
c/o Patricia Redington  
County Counselor  
41 South Central Avenue  
St. Louis, MO 63105

/s/ Anthony E. Rothert